

# UNITED STATES DISTRICT COURT

for the

EASTERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

DEREAK LEE EUBANKS,

Defendant.

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Case No.: CR-23-24-RAW-01

Date: 05/31/2023

Time: 10:27 a.m. – 10:47 a.m.

## MINUTE SHEET CHANGE OF PLEA HEARING

U.S. Magistrate Judge Gerald L. Jackson

Paige Bruce, Deputy Clerk

Reporter - None

FTR Courtroom: 4 - Room 420

Counsel for Plaintiff: Zachary Parsons, AUSA

Counsel for Defendant: J. Patrick Quillian, Appointed

Defendant appears: ☒ with Counsel; ☐ Counsel waived; ☐ w/o Counsel;

☐ Defendant advised of right to appear in person ☐ Defendant consents to proceed via video conference

Defendant: ☒ Sworn

☒ Consent to Proceed before U. S. Magistrate Judge executed by defendant and filed

☒ Defendant advised of charges and possible penalties

☐ Guideline estimates discussed

☐ Petition to Enter Plea of Guilty and Order Entering Plea

☒ Defendant entered guilty plea to Counts 1-2 of the Superseding Indictment

☐ Plea Agreement: ☐ terms orally disclosed ☐ written plea agreement filed ☒ no written plea agreement

☐ Motion for Additional One Point Reduction for Acceptance of Responsibility filed by Government

☐ Remaining Count(s) to be dismissed at sentencing: Count(s)\_\_\_\_\_

Defendant waived: ☐ Indictment; ☒ Jury Trial; ☐ Speedy Trial; ☐ 30 Days Preparation;

☐ Separate Representation; ☒ Waiver(s) accepted by Court

☒ Defendant waived right to having jury determine facts used to enhance Defendant's sentence and consents to the sentencing judge to determine those facts

☒ Defendant related facts of charge; ☒ Government agreed Defendant's statements meet elements of offense

☒ Court findings: ☒ Defendant found mentally competent to understand charges and proceedings

☒ Factual basis for Defendant's plea;

☒ Defendant is guilty as charged as to Counts 1-2 of the Superseding Indictment

☒ PSI Ordered

☒ Government requested U.S. Magistrate issue Report and Recommendation to District Court with regard to finding of guilt. DENIED (GLJ)

☒ Defendant remanded to custody of USMS.